

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	21cv7383 (DLC)
ROBERT COHEN,	:	
	:	<u>ORDER</u>
Plaintiff,	:	
	:	
-v-	:	
	:	
RAVEN INDUSTRIES, INC., et al.,	:	
	:	
Defendants.	:	
	:	
-----	X	

DENISE COTE, District Judge:

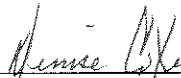
On September 2, 2021, the plaintiff filed the above captioned action in this Court. No affidavit of service was filed, and defendants did not appear. On September 23, an initial pretrial telephone conference was scheduled for today, October 29, at 2:30 pm. Plaintiff's counsel failed to appear at the October 29 conference.

When, as here, a plaintiff has failed to prosecute their case or comply with court orders, a court may dismiss the case pursuant to Rule 41(b), Fed. R. Civ. P. See Lewis v. Rawson, 564 F.3d 569, 575-76 (2d Cir. 2009) (noting that the exercise of a court's discretion under Rule 41(b) often occurs where parties fail to comply with a scheduling order or respond to pending motions). The plaintiff has not communicated with this Court for any reason since filing this action on September 2, 2021. Accordingly, it is hereby

ORDERED that this action is dismissed without prejudice.

The Clerk of Court shall close the case.

Dated: New York, New York  
October 29, 2021

  
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DENISE COTE  
United States District Judge